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57th Year 1987

Networks suffer another 5% erosion in prime time shares

Vol. 113 No. 19

Broadcasting Nov 9

Network prime time ratings fall 10%... page 35.

Ginsburg nomination in danger... page 37.

Holmes nominated to FCC... page 112.

SMPTE provides forum for HDTV... page 46.

THE EROSION CONTINUES □ Three-network prime time ratings fall 10% for first six weeks of season compared to same period last year, leaving three networks 75% of prime time audience. **PAGE 35.**

CABLE'S GOOD NEWS □ October ratings for most of top cable programing services are up over October 1986. **PAGE 36.**

ETHICS QUESTION □ Supreme Court nominee Douglas H. Ginsburg's involvement with cable MSO while participant in *Preferred Communications* case raises questions of conflict of interest. **PAGE 37.** Additionally, Ginsburg's disclosure that he has smoked marijuana further complicates confirmation effort. **PAGE 38.**

TBS TURNOVER □ TBS sales executive, Gerald Hogan, is named president of TBS's Entertainment Network, and William C. Bevins, TBS financial expert, has announced his departure. **PAGE 39.**

SMPTE '87 □ Broadcast and film engineers find HDTV area of common interest at 129th annual SMPTE conference in Los Angeles. **PAGE 46**

NEW PLAYER □ Jacor Communications enters national spot radio market with its acquisition of Eastman Radio. **PAGE 66.**

NEXT GENERATION □ Television Bureau of Advertising, whose members meet in Atlanta this week, has new president, William Moll. BROADCASTING discusses future of TVB and industry with Moll and Roger Rice, who relinquishes post after 13 years. **PAGE 70.**

TELCOS WANT IN □ Telcos call on FCC and Congress to drop prohibitions keeping them from entering cable TV business in areas where they provide telephone service. **PAGE 72.**

CHURCH CHANNEL □ Broad-based group of religious denominations are planning for advertising-supported cable programing network. **PAGE 82.**

AXE TO FALL □ NBC employes ready for what could be 700 job cuts. **PAGE 84.**

CAUGHT IN THE MIDDLE □ Showtime/TMC's Tony Cox says pay cable is being squeezed financially between its suppliers and retailers. **PAGE 87.**

CONTINENTAL FLAIR □ Timothy Neher is known by some as "a straight shooter" who has "outstanding people skills." It is mix that has served him well as president and chief operating officer of Continental Cablevision, nation's third largest MSO. **PAGE 111.**

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Plaza hotel, New York.

Nov. 17-19—Ninth International Sport Summit conference and exhibit. Beverly Hilton hotel, Los Angeles.

Nov. 18—*Federal Communications Bar Association* luncheon. Speaker: Dean Burch, director-general, Intelsat. Marriott, Washington.

Nov. 18—"Gambling It All: Nuts and Bolts of Starting Your Own Business," meeting of *American Women in Radio and Television, Washington chapter*. National Association of Broadcasters, Washington. Information: (202) 659-3494.

Nov. 19—*American Association of Advertising Agencies*, New England Council and Advertising Club of Greater Boston meeting. Back Bay Hilton, Boston.

■ **Nov. 19-21**—*Loyola Radio Conference*, convention for high school and college radio broadcasters. Holiday Inn Mart Plaza, Chicago. Information: (312) 670-3207.

Nov. 20—*Broadcast Pioneers, Washington area chapter*, eighth annual awards banquet. Kenwood Country Club, Bethesda, Md.

Nov. 21—"Writers on Writing," seminar sponsored by *American Film Institute*. Mark Goodson Theater, New York.

Nov. 23—15th annual International Emmy Awards gala, sponsored by *International Council of National Academy of Television Arts and Sciences*. Sheraton Center, New York.

Nov. 24—*International Radio and Television Society* newsmaker luncheon, "Television: New Sources, New Forces," featuring Sumner Redstone, Viacom; Fred Silverman, Fred Silverman Co.; Henry Bushkin, Bushkin, Gaims, Gaines & Jonas, and Brad Marks, Korn/Ferry International. Followed by IRTS second annual goods and services celebrity auction. Waldorf-Astoria, New York.

Nov. 24—Presentation of Nancy Reagan Drug Prevention Award, sponsored by *Entertainment Industries Council*, to B. Donald (Bud) Grant, former president, CBS Entertainment. Beverly Wilshire hotel, Los Angeles.

December

Dec. 1—Deadline for entries in 18th annual National Educational Film & Video Festival. Festival is scheduled for April 29-May 1, 1988. For entry form, call or write: NEFVF, 314 East 10th Street, Oakland, Calif., 94606; (415) 465-6885.

Dec. 2—Reply comments due in FCC proceeding (docket 87-266) on telephone company-cable cross-ownership rules. FCC, Washington.

Dec. 2-4—Western Cable Show, sponsored by *California Cable Television Association*. Anaheim Convention Center, Anaheim, Calif.

Dec. 3—*American Sportscasters Association* fourth annual Hall of Fame Awards dinner. Marriott Marquis, New York. Information: (212) 227-8080.

Dec. 3-4—Technology studies seminar, sponsored by *Gannett Center for Media Studies*. Gannett Center, Columbia University, New York. Information: (212) 280-8392.

Dec. 4—*Southern California Broadcasters Association* Christmas party. Hollywood Roosevelt hotel, Los Angeles. Information: (213) 466-4481.

Dec. 4-6—*Foundation for American Communications* conference on Pacific Rim economic questions. Conference, "aimed at educating the nation's journalists about issues involving news organizations," is funded by grant from *Gannett Foundation*. Sheraton Miramar, Santa Monica, Calif. Information: (213) 851-7372.

■ **Dec. 5**—"Disasters: New Challenges for the Media" and "Media and the Law: Your Rights and Restrictions," seminar sponsored by *Associated Press Television-Radio Association of California-Nevada*. Woodlake

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Errata

In chart **listing broadcasting stocks** that appeared on pages 31-33 of Nov. 2 issue, last column headed "% drop" referred to difference in price of stock between its 52-week high and price of stock on Oct. 30.

□

In Oct. 26 programing story, "TV Stations Priming for Access," **Buena Vista Television executive cited should have been Rich Goldman, vice president of sales**, not Jay Finkelman.

□

AIDS Lifeline is production of Group W Television in consultation with The World Health Organization's Special Program on AIDS and not simply latter organization as indicated in Nov. 2 "In Brief."

□

Senator Nancy Landon Kassebaum (R-Kan.) was not the only recipient of a **letter from public broadcasting forces,** as reported in "In Brief" Nov. 2. The letter, **praising measure within Senate budget reconciliation package that would provide public broadcast funding via commercial station transfer fees,** was signed by CPB President Donald D. Ledwig, NAPTS Acting President Baryn S. Futa and NPR President Douglas Bennet and **was sent to all 100 members of the U.S. Senate.**

Resort and convention hotel, Sacramento, Calif. Information: (213) 746-1200.

Dec. 6-8—"Computer Graphics for Design," fall conference sponsored by *Pratt Center*. Grand Hyatt, New York. Information: (914) 741-2850.

Dec. 7—Technology and audience study group, sponsored by *Gannett Center for Media Studies*. Gannett Center, Columbia University, New York. Information: (212) 280-8392.

Dec. 7-11—Video Expo Orlando, sponsored by *Knowledge Industry Publications*. Buena Vista Palace hotel, Lake Buena Vista, Fla. Information: (914) 328-9157.

Dec. 8—*Federal Communications Bar Association* reception/dinner honoring FCC Chairman Dennis Patrick. Washington Marriott hotel, Washington.

Dec. 8-9—*Radio Advertising Bureau* day-long sales seminar, "How to Close More Sales." Dec. 8: Registry hotel, Los Angeles, and Dec. 9: Westgate hotel, San Diego. Information: 1-800-232-3131.

Dec. 10-11—"Telecommunications: Current Developments in Policy and Regulation," sponsored by *Practising Law Institute* and *Federal Communications Bar Association*. Omni Shoreham, Washington. Information: (212) 765-5700.

Open Mike

Taking issue

EDITOR: Last week's editorial, which reported that the NAB HDTV delegation was in Japan to see HDTV demonstrations that already had been seen in the United States, was not only unfair, but was factually incorrect. As a member of the NAB delegation, I can report that less than one-half hour was spent on HDTV demonstrations.

The purpose of the trip was for a candid exchange of views between the NAB delegation and top communications officials in Japan, concerning the deep interest American terrestrial broadcasters have in HDTV and the need for an NTSC compatible, MUSE quality delivery system for the United States. Discussions included the proposed NAB New Technologies HDTV Center. Meetings were held with both technical and senior officials of NHK, the Ministry of International Trade and Industry (MITI) and the Ministry of Post and Telecommunications. In addition, meetings with Sony and NEC were scheduled.

The itinerary was loaded with substantive events covering up to 12 working hours per day.

The fairness doctrine fight in Washington is important, and will be continued. However, I believe that 10 years from now the events unfolding in Japan on HDTV will have more impact on how we conduct the television business than the fairness doctrine.—*Harold E. Protter, vice president, Gaylord Broadcasting Co., general manager, WVTV(TV) Milwaukee.*

□

EDITOR: Your editorial "Home and Away" (Oct. 26, 1987) appeared to be on the mark until I read the last paragraph. Let me set the record staight.

Last Wednesday (10/21), upon learning of the Hollings proposal (codification of fairness and transfer fees) the NAB government relations staff made immediate phone contact with all members of the NAB's executive committee and with Eddie Fritts and Wally Jorgenson who were in Japan.

On Thursday (10/22), night letters and wires were delivered to some 1,000 broadcasters who act as legislative liaison contacts. Additionally, the executive directors of state broadcast associations were contacted. Phone contact continued with the executive committee and Eddie and Wally. NAB staff members from various departments were utilized in making phone contact with broadcasters all over the country.

On Friday (10/24), a conference call took place with staff in D.C., the executive committee and Eddie and Wally in Japan and John Summers.

Eddie Fritts and John Summers were in their offices in D.C. on Monday morning (10/26).

The reasons that Eddie and Wally were in Japan had to do with technological advances in HDTV. Meetings were conducted with industry and government leaders. On page 63 of BROADCASTING you began a "Special Report" on HDTV. You know how important this issue (HDTV) is. And yet your editorial described the mission in cavalier terms.—*Robert L. Fox, vice chairman, radio board, National Association of Broadcasters.*

The re-chill

EDITOR: I was greatly distressed to hear of the Senate Commerce Committee's approval of proposed "transfer fee legislation" (BROADCASTING, Oct. 26).

While I am somewhat in favor of stabilized funding, for Public Television Stations, this particular action scares the hell out of me. Its goals with regard to funding may be fine, but the specifics of this legislation are not so good. It is bad enough that the Senate Commerce Committee is proposing to place a mandatory tax on *all* broadcast property sales, but the reimposition of the so-called "fairness doctrine" (and a surtax based upon violation thereof) can only have a chilling effect on the broadcasters' ability and initiative in covering virtually any political or controversial issue.

No thank you.—*Robert G. Blauvelt, acting general manager, office of public information, KVSK-TV Pago Pago, American Samoa.*

Religious reasoning

EDITOR: In reference to your Oct. 12 summary of the House Oversight Subcommittee's hearings on television ministries, I found fascinating the National Religious Broadcasters' perspective on a new code of

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□

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Gulf," he said.

And Tisch issued a warning. "If the networks continue to weaken, there may be a growing shift away from universal, free television to more exclusive, pay broadcast services," he said. "America is still well-served by insuring that every home has free access to the national programing services of advertiser-supported networks which combine local control with national resources."

On other matters, Patrick said the FCC will be considering reimposing the syndicated exclusivity rules "on the assumption that the compulsory license is flawed." The FCC will be asking "whether we can make a contribution on the margin of the public interest by providing an opportunity for independent broadcasters to... secure [program] exclusivity," he said.

Blake said the 50-year-old bargain between the public and commercial broadcasters—spectrum in exchange for public-interest programing—is breaking down. One indicator is the congressional plan to levy transfer fees on broadcast properties and use the proceeds to fund public broadcasting, he said. "Congress is looking away from commericial broadcasting, which was supposed to be the source of public interest programing, toward public broadcasting." □

Fighting fire with fire on transfer fees

The National Association of Broadcasters—fighting off a congressional proposal that would impose a 2% to 5% license transfer fee on the sale of broadcast properties—is preparing a "white paper" suggesting a 2% excise tax on TV and radio sets, videocassette recorders and satellite dishes. The excise, however, is likely to force broadcasters into a major confrontation with the Electronic Industries Association, representing manufacturers of those appliances. EIA Vice President Gary Shapiro called NAB's effort an act of "desperation" and an example of a "handful of people trying to tax millions." Nor does he think NAB can sell the idea; Shapiro said EIA had "found a total dearth of congressional support." EIA has not taken a stand on the transfer fee, but Shapiro warned it was now considering such a move.

NAB was wasting no time in soliciting support for the excise tax. Last Friday, President Eddie Fritts pitched the idea to Senator Ernest Hollings (D-S.C.), chairman of the Commerce Committee and author of the transfer fee. Fritts also brought it up during a meeting last week with House Telecommunications Subcommittee Chairman Ed Markey (D-Mass.).

It has become increasingly clear that the industry would have to come up with some alternative revenue-raising ideas that Congress might be willing to substitute in place of the fee. Senator Wendell Ford (D-Ky.), for instance, urged a group of broadcast industry lobbyists to put an alternative before Hollings as soon as possible.

There is some question as to whether Commerce would have jurisdiction over an excise tax. NAB thinks so because the committee has authority to mandate all-channel receivers. But some industry observers believe it would fall under the purview of the Senate Finance and House Ways and Means Committees.

The station transfer fee is part of a budget reconciliation measure aimed at lessening the federal deficit and is pending in the Senate Budget Committee. It is estimated the excise tax would raise $360 million a year, some $80 million more than Congress would collect from the transfer fee. Broadcasters have been facing what appears to be an uphill battle against the fee (BROADCASTING, Oct. 26, Nov. 2). Part of the problem is that the funds from the fee would be used to support public broadcasting after fiscal 1990, an idea Congress is apt to find tempting; indeed, NAB was calling its own proposal a "support fee for public broadcasting."

The white paper should be released this week. NAB will argue, among other things, that from 1950 to 1965 there was a 10% excise tax on TV and radio receivers. Moreover, the association feels there is a philosophical precedent for the tax. The paper will note that a report released by the Carnegie Commission on Public Broadcasting in 1967 recommended an excise tax beginning at 2% and rising as high as 5%.

Meanwhile, NAB continued to gin up its forces to fight the transfer fee. The broadcasters' battle does not end with the fee since the Senate proposal would also codify the fairness doctrine.

Broadcasters have turned to Senate Finance Committee Chairman Lloyd Bentsen (D-Tex.), hoping to convince him that the fee is a tax and that he should assert his committee's jurisdiction and have the matter referred to Finance. According to reports, broadcasters had a commitment from Bentsen, but a finance committee spokesman said no "promises" were made.

NAB is pressuring Budget Committee Chairman Lawton Chiles (D-Fla.) to reject the proposal on the grounds that the Commerce Committee missed the deadline for submitting the idea. But as of late last week no progress was seen to have been made on that front.

Senate action on the reconciliation is not likely to happen until the "economic summit" between the White House and congressional leaders is finished. Some industry observers have speculated the summit may produce a deficit-reduction package that would eliminate the need for a transfer fee.

In arguing against the fee, NAB has said it amounts to an "unlawful double taxation." Former FCC Chairman Mark Fowler, now with Latham & Watkins, underscored the inequity of the situation. He said the 1986 tax reform legislation resulted in a corporate capital gains tax rise from 28% to 34% and that approving a transfer tax would result in a 40%-plus capital gains rate for broadcasters.

An indication of the broadcasters' fervor on the issue is illustrated in a newsletter distributed by the Missouri Broadcasters Association. In a detailed account of what occurred when the fees were adopted by the Commerce Committee, the newsletter also advised Missouri broadcasters: "Before you get upset, remember the old political adage: Don't get mad—get even. Hopefully, we'll get our chance." □

Media stocks show slight gain

Some fare worse than others, but as whole, media companies off 22% from pre-crash figures

Media companies gained only slightly in last week's fluctuating stock market, with many still trailing other U.S. industries in making up for October's devastating market declines.

According to BROADCASTING's 148-company media stock index (see chart below), media companies as a whole were off 22% from Oct. 12, the week prior to the market's initial decline. Some stock groups, such as programers, service companies and electronics manufacturers, were substantially worse off. Cable and pure broadcasting companies, however, are performing better than the broader indices.

Among the leading broadcasters, Capcities/ABC, still well off its $413-per-share value the week prior to the Oct. 19 crash, was down $10 for the week, closing Friday at $324. CBS traded around $172 for the week, closing at $169.75 on Friday, while GE declined for the week, to close Friday at $46.13.

Other major media stocks continuing their decline over the past week were Turner Broadcasting, down last Thursday, Oct. 5, to

TYPE OF STOCK (# of co's)	10/12	10/19	10/26	11/2	11/5	% DOWN FROM 10/12
Cable (19)	27.06	24.86	20.24	22.30	23.18	-14%
Bdcst (17)	53.70	45.99	38.99	42.96	43.44	-19%
Bdcst w/other (36)	54.08	46.05	38.34	41.86	42.01	-22%
Prgrmg (37)	16.56	12.31	10.42	12.20	12.27	-26%
Svce (13)	30.11	26.69	22.25	22.16	22.30	-26%
Elec./Mfg. (26)	28.14	21.07	18.09	20.80	20.43	-27%
BROADCASTING 148	34.52	28.80	24.14	26.63	26.80	-22%
S&P 400	359.21	257.81	257.35	293.07	290.66	-19%
DJIA	2471.44	1738.74	1793.93	2014.09	1985.41	-19%

$10.25, and Rupert Murdoch's News Corp., still badly off its $33.50 level the week before Oct. 19, closing at $15 Thursday.

Declining broadcast stocks continue to include top 10 TV station owner Chris-Craft, off last week to close Thursday at $16.25, and Belo, whose ongoing decline dropped it another $1.50 from the previous week to close Thursday at $49.25. Reliance Group was off again to $6.50 at Thursday's close; Washington Post Co. fell back to $190 Thursday, and Gannett was off at $38 Thursday.

Top 20 group owner TVX declined to its lowest level yet in recent weeks last Thursday, closing at $5.50. And the largest radio network programer, Westwood One, also dropped back after gaining some ground the previous week, closing down last Thursday at $17.75.

Better performers included Tribune, which charted a substantial increase last week to close Thursday at $37.75, up $4.50 from the previous week's close, and Times Mirror, up nearly $3.00 to close Thursday at $77.25. Knight-Ridder was back up last week with a $40.50 Thursday close and Westinghouse was inching its way up as well to $47.63 Thursday.

Some of the largest cable stocks were also busy recovering losses in last week's market. Number two system operator American Television and Communications closed nearer pre-crash levels Thursday at $23.25; Comcast was up at $20.38 Thursday; United jumped more than $2 from the previous week to close Thursday at $23.38, and also up were Jones Intercable, Cablevision Systems, Century Communications and Rogers.

Tele-Communications Inc. dropped slightly, closing Thursday at $22.13, and Viacom, hurt badly in the market decline, was still far off its $25 level the week before the crash, closing Thursday at $16.50.

Programers, among the worst hit in the crash and its aftermath, continued poor showings. Some, like MCA, Lorimar-Telepictures and King World products were on the incline last week, but others were dropping short-lived gains. New World Entertainment, for instance, was down again last Thursday at $4.50, while Disney dropped to $54.50 Thursday.

Ad agencies for the most part were also performing weakly. The bottom dropped out of Foote, Cone & Belding last week, with Thursday's close down to $43.75; Saatchi & Saatchi was still well off at $18.75, and Grey dropped again to close near its recent lows at $96. Closing only slightly better last Thursday were Omnicom at $17.13 and Ogilvy at $24.25.

The chart on page 41 shows group stock averages for the four Mondays beginning Oct. 12 and include last Thursday's closing average. The Standard & Poor's 400 Industrials and Dow Jones Industrials are also shown, along with an average for all 148 companies on BROADCASTING's index. Percentage change is from Oct. 12 to Nov. 5. □

'Globe'-ABC presidential debates threatened by summit

The first casualties of the Reagan-Gorbachev summit in Washington on Dec. 7 are the two sets of presidential debates that had been scheduled for the nights of Dec. 7 and 8. The *Boston Globe* and ABC News were sponsoring the two-hour debates—Republicans on the seventh, Democrats on the eighth—to be held in Boston's Faneuil Hall and to be carried live by the 320 television stations of the Public Broadcasting Service. ABC was to produce the television coverage and was to broadcast the debates over its radio network.

The *Globe*, ABC News and PBS were reported to have agreed among themselves that the meeting between President Reagan and General Secretary Mikhail Gorbachev, now set for Dec. 7, required cancellation of the debates. The summit, said *Globe* assistant executive editor Benjamin Taylor, "has taken center stage as the major news event of the year." It seemed prudent, he added, "not to conduct presidential debates while such a historic meeting takes place." Most of the candidates had said they would participate in the Boston debates.

Taylor said a major effort was made to find a mutually satisfactory date for the debates in advance of the New Hampshire primary on Feb. 16—but to no avail. He cited the upcoming holiday period and crowded calendars of the candidates, including a number of debates elsewhere in the country. Meanwhile, representatives of two Republican presidential campaigns were threatening to pull out of a debate that NBC has scheduled for Dec. 1 at the Kennedy Center in Washington. Representatives of Vice President George Bush and Representative Jack Kemp (R-N.Y.) expressed their displeasure with what they understood to be the format NBC has in mind—one in which the six Democratic and six Republican candidates would be seated in groups opposite each other on the stage of the Eisenhower Theater. Kemp spokesman John Buckley said it appeared that "Democrats and Republicans would be mixed." And that was not what Kemp wants; he wants to debate other Republicans. A Bush spokesman has expressed similar misgivings.

NBC News President Lawrence Grossman said he understood such concern but added that the final format has not yet been developed. He said Joe Angotti, executive producer of the debate, would be in touch with the candidates or their representatives this week "to discuss what we have in mind." □

U.S. Cable offers $233 million for Essex

Essex Communications announced that it had received a cash offer of $233 million for the company from U.S. Cable Television Group, the group created by former ABC executives Marty Pompadur and Elton Rule, and Christopher Conley. Essex had earlier announced it would be reviewing bids for the company in August (BROADCASTING, Aug. 31), but said at the time it would not name the bidding companies. While Essex only announced it had received the offer and did not have a definite contract, a source close to the sale said it was a "done deal" and an announcement could be expected today (Nov. 9). This is the largest acquisition for U.S. Cable, which recently purchased C4 Media Cable, a Vienna, Va.-based MSO with 72,000 subscribers in eight states for $126 million.

The $233 million will be split 45% for the stock and the remainder for the assets of the four Essex operating partnerships. Doug Paul, general counsel for Essex, said the 45% would be worth about $104.9 million, but corrected earlier reports, saying the amount paid to subscribers would be reduced by the public companies' liabilities, "past financial data indicates the reduction would be about $21 million, but there are other liabilities that should reduce it more," said Paul. He also mentioned that the $233 million would be adjusted according to the number of subscribers Essex delivered at closing. Computing the cost-per-subscriber value at about $1,700 per subscriber, Paul said the purchase price would be adjusted upward by something close to that amount if there were more than 135,000 subscribers and downward if there were less. Essex, based in Greenwich, Conn., is publicly owned and headed by Paul L. Field and Dave Pardonner. Waller Capital Corp., handled the sale for Essex.

Actions

■ Linden, AL, WDAL, 107.1 mhz—871023-Application (BMPH870316IF) dismissed for Mod of CP to change TL: 7 1/2 miles SW on State Rte 69, Linden, AL 32 15 19N 87 54 15W

■ Montgomery, AL, WBAM-FM, 98.9 mhz—871026-Application (BPH870227MJ) granted for CP to change TL: 1.5 miles (2.4KM) N of Junction of US 80 and Burbank Drive, Montgomery, AL; change HAAT: 334.1 m H&V and make changes in antenna system. 32 24 11N 86 11 48W.

■ Batesville, AR, KZLE, 93.1 mhz—871023-Application (BPH870224II) granted for CP to change HAAT to: 984 ft. H&V.

■ Little Rock, AR, KZOU, 98.5 mhz—871026-Application (BMPH870410IA) granted for Mod of CP (BPH860915ID) to change HAAT: 392 m H&V.

■ Miami, FL, WQBA-FM, 107.5 mhz—871028-Application (BPH870227OZ) dismissed for CP to chg TL: NW 207th Street & Hwy 441, Miami, FL; chg HAAT: 307M H&V; install directional antenna and make chgs in antenna system. 25 57 59N 80 12 33W.

■ Pensacola, FL, WOWW, 107.3 mhz—871028-Application (BMPH870227NA) granted for Mod of CP (BPH851125IE) to change TL: 1.2K m S of Barrineau Park School Rd and Rte 182, 250 m E of Barrineau Park School Rd, Molino, FL and make changes in antenna system. 30 42 20N 87 24 09W.

■ Pocatello, ID, KSEI-FM, 104.9 mhz—871022-Application (BPH870227PA) granted for CP to change ERP: 100 kw H&V.

■ Lowell, IN, WZVN, 107.1 mhz—871028-Application (BPH870528IF) granted for CP to change ERP: 1.29 kw H&V.

■ Cadillac, MI, WWLZ, 96.7 mhz—871026-Application (BMPH870615IE) granted for Mod of CP to correct antenna supporting structure height.

■ Twin Lake, MI, WBLV, 90.3 mhz—871022-Application (BPED870217IK) granted for CP to change HAAT: 185 m H&V.

■ Lexington, MO, KCAC, 107.3 mhz—871023-Application (BPH870115IC) granted for CP to make changes: TL: 3.35 km N of I-70 and 3.67 km E of State Rte. 131, NE of Odessa, MO; change HAAT: 353.3 m H&V. 39 02 15N 93 55 48W.

■ Havre, MT, KNMC-FM, 90.1 mhz—871023-Application (BMPED870421MF) returned for Mod of CP to change change freq. to 91.1 mhz, #216; change TL: 27 miles SE of Harve, MT bearing N 140 degrees E, MT; change ERP: 92 kw H&V; HAAT: 453 m H&V and make changes in antenna system. 48 15 07N 109 18 20W.

■ Syosset, NY, WKWZ, 88.5 mhz—871023-Application (BMPED860717IE) granted for Mod of CP to change HAAT: 78 m H&V; and change to directional antenna.

■ Elizabeth City, NC, WMYK, 93.7 mhz—871023-Application (BPH870227IT) granted for CP to change HAAT: 996 ft. H&V (304 M).

■ Wilmington, NC, WHQR, 91.3 mhz—871026-Application (BPED860611MC) granted for CP to make changes: change ERP: 10 kw H&V; change HAAT: 348.4 m H&V; operate as a Class C1. 34 07 51N 78 11 16W.

■ Winston-Salem, NC, WSNC, 90.5 mhz—871028-Application (BPED870514MA) returned for CP to make changes: chg ERP: 3KW (H), chg HAAT: 68.9M (H); chg TL: Reynolds Park Rd, Winston-Salem, NC. 36 05 24N 80 13 20W.

■ Stillwater, OK, KSPI-FM, 93.9 mhz—871022-Application (BPH870225MI) granted for CP to make changes: TL: South side of Rte. 51, approx. 1 km NE of intersection with Rte. 51C, Stillwater, OK; change ERP: 100 kw H&V; change HAAT: 308 m H&V. 36 06 33N 97 11 43W.

■ Newport, OR, KYQT, 102.5 mhz—871028-Application (BPH870331JB) granted for CP to make changes: ERP: 65.48 kw H&V; change HAAT: 275.3 m H&V; correct coordinates: 44 45 21.8N 124 02 56.7W.

■ Waldport, OR, KBBM, 850 khz—870924-Application (BMP870529AI) dismissed for Mod of CP to chg TL to: approx. 2/5MI S of Hwy 34 on Lint Slough Rd, Walport, OR. 44 25 20N 124 03 30W.

■ Canton, PA, WKAD, 100.1 mhz—871023-Application (BPH870331IZ) granted for CP to make changes: change freq. to 100.3 mhz (per Docket #86-287); change TL: Armenia Mtn. on Rundell Creek Rd, 9.6 km N of Canton, PA; change ERP: 3.9 kw H&V; change HAAT: 258 m H&V; change to Class B1. 41 44 32N 76 50 08W.

■ Manati, PR, WNRT, 96.9 mhz—871028-Application (BPH870331JA) granted for CP to change ERP: 50 kw H&V.

■ Amarillo, TX, KWAS, 101.9 mhz—871023-Application (BPH870226IL) granted for CP to change TL: NW corner of Western and St. Francis Rds, Amarillo, TX; change HAAT: 1006 ft. H&V and make changes in antenna system. 35 16 09N 101 53 18W.

■ El Paso, TX, KBNA-FM, 97.5 mhz—871028-Application (BPH870302NU) granted for CP to change ERP: 100 kw (H) & 52.1 kw (V).

■ Green Bay, WI, WDUZ-FM, 98.5 mhz—871023-Application (BPH870217II) dismissed for CP to change TL: Glenmore Rd, 4.5 miles SE of City of De Pere, Town of De Pere, WI; change HAAT: 250.5 m H&V & make changes in antenna system. 44 24 31N 87 59 29W.

■ Platteville, WI, WSUP, 90.5 mhz—871029-Application (BPED870302MD) granted for CP to chg ERP: 2.5KW H&V.

■ West Salem, WI, WQJY, 100.1 mhz—871027-Application (BPH870227OH) granted for CP to change TL: 0.7 miles SW of Hwy B on Quarry Rd, Medary Township, WI; change ERP: 1.8 kw H&V; HAAT: 130 m H&V and make changes in antenna system. 43 51 02N 91 12 08W.

Actions

Commission Actions

■ RF Lighting Devices—Affirmed that radio frequency lighting devices will continue to be subject to the standards specified in Part 18 of the rules concerning industrial, scientific and medical equipment. (Gen. Docket 83-806 by R&O [FCC 87-325] adopted Oct. 9 by the commission.)

■ Viacom International—Upheld transfer of control of Viacom International, Inc. from its shareholders to Viacom, Inc., over the objection of Wodlinger Broadcasting of Texas, Inc. (By MO&O [FCC 87-333] adopted Oct. 16 by the Commission.)

■ Gerard A. Turro—Upheld staff denial of request for STA and waiver of rules so his New Jersey FM translator station could originate local programing, including commercial material. (By Order [FCC 87-334] adopted Oct. 16 by the commission.)

■ Call Sign Assignments—commission has retained restriction on assignment of "K" and "W" as first letter of call signs east and west of Mississippi River, and modified certain other aspects of call-sign rules. (MM Docket 87-11 by R&O [FCC 87-337] adopted Oct. 20 by commission.)

■ FM-ED Rules—Amended rules to allow noncommercial educational FM station applicants within 199 miles of the U.S.-Mexican border to base their spacings to domestic noncommercial educational FM's on the non-overlap of predicted signal strength contours, provided they observe required mileages to Mexican assignments as established in the Mexican agreement. (MM Docket 87-140, by R&O [FCC 87-339] adopted Oct. 21 by the commission.)

■ FCC remands Clovis, CA, TV proceeding for further hearings reopened the record in the Clovis, CA, TV proceeding, added a misrepresentation issue against North Star Communications, Ltd., and remanded the case to the presiding Administrative Law Judge with instructions to issue a Supplement- al Initial Decision. Action by the commission October 30 by MO&O [FCC 87-345]. (BC DOCKETS 82-552-53. Report DC-1040, Action in Docket Case.)

■ FCC amends Pre-sunrise Operation Rules for Daytime-only AM Stations—Amended rules to permit daytime-only AM radio broadcast stations to start daily pre-sunrise operations at 6 a.m. local time with a minimum power of 10 watts provided there is no interference to groundwave (primary) contours of clear channel stations. Action by the commission Oct. 30 by Second R&O [FCC 87-346] (MM Docket 87-3. Report DC-1041, Action in Docket Case.)

Summary of broadcasting as of Sept. 30, 1987

Service	On Air	CP's	Total *
Commercial AM	4,893	170	5,063
Commercial FM	3,999	418	4,417
Educational FM	1,283	173	1,456
Total Radio	10,175	761	10,936
FM translators	1,115	766	1,881
Commercial VHF TV	543	23	566
Commercial UHF TV	463	222	685
Educational VHF TV	115	3	118
Educational UHF TV	203	25	228
Total TV	1,324	273	1,597
VHF LPTV	247	74	321
UHF LPTV	162	136	298
Total LPTV	409	210	619
VHF translators	2,981	145	3,126
UHF translators	1,998	293	2,291
ITFS	250	114	364
Low-power auxiliary	824	0	824
TV auxiliaries	7,430	205	7,635
UHF translator/boosters	6	0	6
Experimental TV	3	5	8
Remote pickup	12,338	53	12,391
Aural STL & intercity relay	2,836	166	3,002

* Includes off-air licenses

Appellate Actions

Following FCC decisions were appealed to U.S. Court of Appeals for District of Columbia Circuit

■ Bible Broadcasting Systems, Inc. v. FCC, Case No. 87-1513—MO&O (FCC 87-279, released Aug. 29, MM Dockets 83-1223, et al.) denying appellant's application for new FM station on channel 278C (103.5 MHz) at Springfield, FL.

■ M&M Communications, Inc. v. FCC, Case No. 87-1496—MO&O (DA 87-1096, released Aug. 18) and various other Common Carrier Bureau actions addressing M&M's request for waiver of "one-to-a-market" rule for 42 multichannel multipoint distribution service applications.

■ National Association For Better Broadcasting And Telecommunications Research And Action Center v. FCC and USA, Case No. 87-1505—R&O (FCC 87-210, released July 16, CC Docket 86-179) allowing multipoint distribution service carriers to classify their service as either common carrier or noncommon carrier.

■ Henry Geller and Donna Lambert v. FCC and USA, Case No. 87-1544—MO&O (FCC 87-266, released Aug. 6) concluding fairness doctrine violates First Amendment and contravenes public interest.

Staff Actions

■ Porterville, CA—Designated for hearing applications of Garcia Communications and Arthur C. Kralowec for a commercial TV station on channel 61 at Porterville. (MM Docket 87-489 by Order [DA 87-1560] adopted Oct. 22 by the Chief, Video Services Division, Mass Media Bureau.)

■ Destin, FL—Designated for hearing applications of Sharon S. Smith, William F. Parrish Jr., Airwave Media, Ltd., and Emerald Coast Broadcasting for a commercial TV station on channel 64 at Destin. (MM Docket 87-488 by Order [DA 87-1514] adopted Oct. 22 by the Chief, Video Services Division.)

■ Sonala, FL—Designated for hearing 10 mutually exclusive applications for a new FM station on channel 287A (105.3 MHz) at Sonala. (MM Docket 87-464, by Order [DA 87-1488] adopted Oct. 8 by the Chief, Audio Services Division, Mass Media Bureau.)

■ Casey, IL—Designated for hearing applications of Ford F.M., Inc. and Casey Broadcast Group, Inc. for an FM station on channel 282B1 (104.3 MHz) at Casey. (MM Docket 87-476 by Order [DA 87-1531] adopted Oct. 20 by the Chief, Audio Services Division, Mass Media Bureau.)

■ Harbor Springs, MI—Designated for hearing applications of Running Rhodes, Inc., Patricia Ann Mason and Harbor Springs Radio Limited for an FM station on channel 280A (103.9 MHz) at Harbor Springs. (MM Docket 87-466 by Order [DA 87-1527] adopted Oct. 19 by the Chief, Audio Services Division.)

■ New Prague, MN—Designated for hearing applications of Kingsley H. Murphy, Jr., New Prague Broadcasting Company and Joanna Kalyvas for an FM station on channel 238A (95.5 MHz) at New Prague. (MM Docket 87-477 by Order [DA 871553] adopted Oct. 21 by the Chief, Audio Services Division.)

■ Indianola, MS—Designated for hearing the applications of Walter Gray Gilbert and Minority Broadcasting Corp. for an FM station on channel 245A (96.9 MHz) at Indianola.